

**\*E-FILED 7/25/2008\***

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES *ex rel.* DONNA M.  
McLEAN and THE STATE OF CALIFORNIA  
*ex rel* DONNA M. McLEAN,

No. C05-01962 HRL

Plaintiffs,

v.

**ORDER RE RELATOR'S MOTION TO  
RESCHEDULE SUMMARY JUDGMENT  
HEARING**

THE COUNTY OF SANTA CLARA, THE  
DEPARTMENT OF CHILDREN AND  
FAMILY SERVICES OF SANTA CLARA  
COUNTY, KENNETH BORELLI,  
LAWRENCE GALLEGOS, EPIFANIO ("J.R.")  
REYNA, TANYA BEYERS, DR. DEE  
SCHAFER, DR. TOMMIJEAN THOMAS,  
DR. RICHARD PERILLO and DOES 1-100,

**[Re: Docket No. 206]**

Defendants.

Relator moves for a continuance of defendants' summary judgment motion, which was noticed for an August 5, 2008 hearing. Defendants oppose her request. Relator has not satisfactorily explained why a continuance is necessary under Fed. R. Civ. P. 56(f). Nevertheless, in view of the parties' several discovery motions which are also set for hearing on August 5, 2008, this court finds that those matters should be resolved first. Moreover, this court is unavailable for hearing on the alternate August 19, 2008 hearing date proposed by defendants. Accordingly, defendants' summary judgment motion will be taken off the

1 August 5, 2008 calendar. The court will reset the hearing on that motion following the case  
2 management conference to be held immediately following the August 5, 2008 hearings on the  
3 parties' discovery motions.

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5 Dated: July 25, 2008



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HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

**5:05-cv-1962 Notice has been electronically mailed to:**

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